

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(Rev. 12-2004)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

280-04

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

NA **10/520092**INTERNATIONAL APPLICATION NO.  
**PCT/EP2003/050320**INTERNATIONAL FILING DATE  
**July 18, 2003**PRIORITY DATE CLAIMED  
**August 16, 2002**

TITLE OF INVENTION

**PACKAGING, BLANK FOR SAME AND PROCESS FOR THE PRODUCTION OF THE PACKAGING**

APPLICANT(S) FOR DO/EO/US

**Peter Josef Martin**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 23 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV 281505585 US**
23. ☐ Other items or information:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/520092</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP2003/050320</b>		ATTORNEY'S DOCKET NUMBER <b>280-04</b>	
24. The following fees are submitted:				<b>Applicant use</b>	<b>Office use only</b>
<input checked="" type="checkbox"/> a) Basic national fee .....		<b>\$300.00</b>		\$ <b>\$300.00</b>	
<input checked="" type="checkbox"/> b) Examination fee .....		<b>\$200.00</b>		\$ <b>\$200.00</b>	
<input checked="" type="checkbox"/> c) Search fee .....		<b>\$500.00</b>		\$ <b>\$500.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1000.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	/50 =		x \$250.00	\$ <b>\$0.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	30 - 20 =	10	x \$50.00	\$ <b>\$500.00</b>	
Independent claims	3 - 3 =	0	x \$200.00	\$ <b>\$0.00</b>	
MULTIPLE DEPENDENT CLAIMS (if applicable) <input checked="" type="checkbox"/> + \$360.00				\$ <b>\$360.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,860.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ <b>\$0.00</b>	
<b>SUBTOTAL =</b>				<b>\$1,860.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ <b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$1,860.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$ <b>\$40.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1,900.00</b>	
<b>Amount to be refunded:</b>				\$	
<b>Amount to be charged:</b>				\$	
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <b>\$1,900.00</b> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>16-0750</b>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <p><b>John F. McNulty, Esquire</b>  <b>Paul &amp; Paul</b>  <b>2900 Two Thousand Market Street</b>  <b>Philadelphia, Pa 19103</b>  <b>USA</b>  <b>(215) 568-4900</b></p>					
				SIGNATURE	
				<b>John F. McNulty, Esquire</b>	
				NAME	
				<b>23,028</b>	
				REGISTRATION NUMBER	

10/520092

DT Rec'd PCT/PTO 04 JAN 2005

PATENT

## PCT INTERNATIONAL APPLICATION

Serial No.: NA

Filed: Herewith

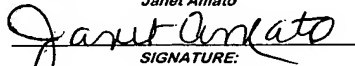
Based on: PCT/EP2003/050320

Title: **PACKAGING, BLANK FOR SAME  
AND PROCESS FOR THE  
PRODUCTION OF THE  
PACKAGING**

Inventor(s): **Peter Josef Martin**

Priority Date  
Claimed: August 16, 2002

Docket No.: 280-04

"EXPRESS MAIL" MAILING LABEL NO:  
EV 281505585 US  
DATE OF DEPOSIT January 4, 2005  
I HEREBY CERTIFY THAT THIS PAPER IS BEING  
DEPOSITED WITH THE UNITED STATES POST  
OFFICE "EXPRESS MAIL POST OFFICE TO  
ADDRESSEE" SERVICE UNDER 37 C.F.R. § 1.10 ON  
THE DATE INDICATED ABOVE AND IS ADDRESSED  
TO THE COMMISSIONER FOR PATENTS P.O. BOX  
1450, ALEXANDRIA, VA 22313-1450  
NAME OF PERSON MAILING PAPER OR FEE  
Janet Amato  
  
SIGNATURE:

## EXPRESS MAIL COVER LETTER

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

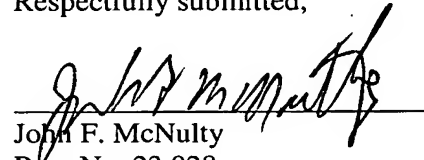
Enclosed and attached hereto are the following documents:

- (1) International Application Transmittal form;
- (2) Check in the amount of \$1,860.00 application filing fee;
- (3) Specification (13 pages);
- (4) Claims (3 pages);
- (5) Drawings (5 pages);
- (6) Preliminary Amendment (5 pages);
- (7) Declaration Power of Attorney Document 2 pages (**executed**);

- (8) Assignment with PTO form 1595;
- (9) Check in the amount \$40.00 recordation fee;
- (10) PCT Request (5) Pages;
- (11) International Publication Document No. WO 2004/018190 A1;
- (12) International Search Report;
- (13) International Preliminary Examination Report;
- (14) PCT Publication in German Language (2 Pages);
- (15) Express Mail cover letter, and
- (16) Paul & Paul postcard to be returned by the PTO.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES ASSOCIATED WITH THIS COMMUNICATION, OR CREDIT ANY OVERPAYMENT, TO PAUL & PAUL DEPOSIT ACCOUNT NO. 16-0750, ORDER NO. 2830

Respectfully submitted,

  
John F. McNulty  
Reg. No. 23,028  
Paul & Paul  
2900 Two Thousand Market St.  
Philadelphia, PA 19103  
(215) 568-4900